

**SPECIAL COMMITTEE
ON
ELECTORAL BOUNDARIES**

REPORT

Legislative Assembly of British Columbia

March 29, 1989

Mr. Jim Rabbitt, M.L.A.
Chairman

Honourable Angus Ree
Deputy Chairman

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**REPORT
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Special Committee
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Electoral Boundaries**

March 29, 1989



Parliament Buildings,
Victoria, British Columbia

March 29, 1989

To The Honourable
The Legislative Assembly of
The Province of British Columbia,
Victoria, British Columbia

Honourable Members:

I have the pleasure to present herewith the *Report* of the Special Committee on Electoral Boundaries.

Respectfully submitted,

Mr. Jim Rabbitt, M.L.A.,
Chairman,
Yale-Lillooet

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TERMS OF REFERENCE

On June 22, 1988 the Legislative Assembly of British Columbia appointed a Special Committee with the following Terms of Reference:

That a Special Committee of the Legislature be appointed to examine, inquire into and make recommendations to the House, unanimously, respecting the Preliminary Report of the British Columbia Royal Commission on Electoral Boundaries: May 1988, so as to assist the Commissioner of Electoral Boundaries in making his Final Report.

That the Committee be composed of Messrs. *Rabbitt* (Convener), *Ree*, *Long*, *Jacobsen*, *Weisgerber*, *Vant*, and Messrs. *Williams*, *G. Hanson* and *Sihota*; and to report to the House as soon as possible, or following adjournment, or at the next following Session, as the case may be.

In addition to powers previously conferred upon the Select Standing Committees of this House, the Committee shall further have the following powers:

- (a) To appoint of their number one or more subcommittees and to refer to such subcommittees any of the matters referred to the Committee; and
- (b) To sit
 - (i) during any period in which the House is adjourned, and
 - (ii) to adjourn from place to place as may be convenient.

COMPOSITION OF THE COMMITTEE

Mr. Jim Rabbitt, M.L.A., Chairman
(Yale-Lillooet)

Honourable Angus Ree, Deputy Chairman
(North Vancouver-Capilano)

Honourable Jack Weisgerber
(South Peace River)

Honourable Neil Vant
(Cariboo)

Mr. Harold Long, M.L.A.
(Mackenzie)

Mr. Norman Jacobsen, M.L.A.
(Dewdney)

Mr. Gordon Hanson, M.L.A.
(Victoria)

Mr. Moe Sihota, M.L.A.
(Esquimalt)

Mr. Robert Williams, M.L.A.
(Vancouver East)

Mr. Craig James,
Clerk to the Committee

ACKNOWLEDGMENTS

Your Committee wishes to express its appreciation to The Honourable Judge Thomas K. Fisher, Commissioner, British Columbia Royal Commission on Electoral Boundaries for his assistance to the Committee.

Your Committee acknowledges the assistance of the Ministry of the Attorney General, particularly Mr. Robert Edwards, Q.C. for a briefing session held in the Parliament Buildings on matters pertaining to electoral reform.

Finally, your Committee wishes to express its gratitude to Mr. Craig James, Clerk of Committees and to the staff of the Office of the Clerk, Hansard and the Legislative Library for the effort they brought to bear upon the work of this Committee.

ORGANIZATION

The first meeting of the Committee was held on Tuesday, June 28, 1988 in the Douglas Fir Committee Room of the Parliament Buildings with Mr. Jim Rabbitt, M.L.A., Member for the Constituency of Yale-Lillooet elected Chairman. At the same meeting, the Honourable Angus Ree, Solicitor General and Member for the Constituency of North Vancouver-Capilano was elected Deputy Chairman.

Mr. Craig James, Clerk of Committees and Second Clerk Assistant became the Clerk to the Committee.

A Subcommittee on agenda and procedure was established and consisted of the Chairman, Deputy Chairman and Mr. Moe Sihota, M.L.A., Member for the Constituency of Esquimalt-Port Renfrew.

INTRODUCTION

At the very heart of parliamentary democracy is the public's ability to be served by their elected representative. In British Columbia, recognition of this basic principal has manifested itself in the continual review on the size and distribution of electoral boundaries. Since 1872 in British Columbia there have been twenty Legislative Committees and fifteen Royal Commissions of inquiry which have examined some facet of the election process and numerous amendments to the *Constitution Act* of British Columbia in its various forms over the years.

This preoccupation with electoral reform is consistent with the fundamental concept of accountability and responsible government. It may be said that this Special Committee is the twenty-first of its kind in the Province and that the Royal Commission which has its *Preliminary Report* placed before this Committee is the sixteenth such Commission for a total of thirty-six inquiries into all aspects of the election process in British Columbia.

METHOD OF OPERATION

The Special Committee on Electoral Boundaries held six meetings including two Subcommittee meetings as follows:

Tuesday, June 28, 1988	Victoria
Thursday, August 25, 1988	Vancouver (Subcommittee)
Wednesday, August 31, 1988	Victoria
Monday, September 19, 1988	Vancouver (Subcommittee)
Friday, October 14, 1988	Victoria
Wednesday, March 15, 1989	Victoria

The Committee was keenly aware of and sensitive to the role enjoyed by the British Columbia Royal Commission on Electoral Boundaries. The Committee conducted each phase of its inquiry so as not to impinge upon any aspect of the Royal Commission and adjusted its approach to better reflect the parallel function between the Commission and the Committee, pursuant to the Committee's Terms of Reference.

At the request of the Committee, the Royal Commission extended its deadline for receiving submissions which afforded the Committee additional time to pursue its inquiry on the *Preliminary Report* prior to the Royal Commission preparing its *Final Report*.

Your Committee invited all Members of the British Columbia Legislative Assembly to submit their concerns in writing to the Committee arising out of matters contained in the *Preliminary Report*.

Upon the advice of the Subcommittee, the Committee adopted a strategy which revolved around the three principal recommendations contained in the *Preliminary Report*:

1. *There should be 75 legislative districts in British Columbia.*
2. *Dual-member ridings are to be eliminated. All constituencies should elect one member.*
3. *Equality of representation requires a province-wide standard for the population of electoral districts. In practice this means no constituency population should vary by more than plus or minus 25% from the provincial average of 38,523 based on the 1986 census.*

In attending to these matters, the Committee received a briefing by Mr. E.R.A. Edwards, Q.C., Assistant Deputy Attorney General, Barristers Division, Ministry of the Attorney General in the matter of the Canadian Charter of Rights and Freedoms and in the matter of Section 19 and Schedule 1 of the *Constitution Act*, R.S.B.C., 1979, c. 62, as amended, between John Dixon (petitioner) and the Attorney General of British Columbia (Respondents).

OBSERVATIONS

Terms of Reference

"... to examine, inquire into and make recommendations to the House, unanimously respecting the Preliminary Report of the British Columbia Royal Commission on Electoral Boundaries: May 1988, so as to assist the Commissioner of Electoral Boundaries in making his Final Report."

OBSERVATIONS

- a. A *Final Report* by the Royal Commission has been prepared.
- b. A *Final Report* by the Royal Commission has been submitted to the Lieutenant Governor in Council.
- c. A report by the Special Committee on Electoral Boundaries on the *Preliminary Report* may be superceded by the revelations contained in the Royal Commission's *Final Report*.
- d. The British Columbia Legislative Assembly has been in a period of adjournment from June 1988 until March 1989.

APPENDIX A

BRIEFS

The following persons submitted formal briefs to the Committee during its review:

EB 1/88	Kempf, Jack, M.L.A.
EB 2/88	Messmer, Ivan, M.L.A.
EB 3/88	Hanson, Hon. Lyall
EB 4/88	Mercier, Dave, M.L.A.
EB 5/88	Gran, Mrs. Carol, M.L.A.
EB 6/88	Sihota, Moc, M.L.A.
EB 7/88	Bruce, Graham, M.L.A.
EB 8/88	Huberts, Hon. Terry
EB 9/88	Pelton, F.C. Austin, M.L.A.
EB 10/88	Dirks, Hon. Howard
EB 11/88	Miller, Dan, M.L.A.
EB 12/88	Smith, Hon. Bud
EB 13/88	Reynolds, Hon. John
EB 14/88	Reid, Hon. W.
EB 15/88	Rabbitt, Jim, M.L.A.

APPENDIX B

RESEARCH DOCUMENTS

The following is a list of documents used by the Committee during consideration of its Report:

Elections British Columbia 2: the unique guide for provincial election participants and spectators. [by] T. Patrick Boyle; Aldergrove, B.C.; Lions Gate Press; 1986. 205p.

Map A: proposed electoral districts 1988 (British Columbia); overlay to 1978 districts [by] Elections Branch. Ministry of Provincial Secretary; approx. 36" x 30".

Map B: proposed electoral districts 1988 (lower mainland); overlay to 1978 districts [by] Elections Branch. Ministry of Provincial Secretary; approx. 40" x 24".

Map C: proposed electoral districts 1988 (Vancouver); overlay to 1978 districts [by] Elections Branch. Ministry of Provincial Secretary; approx. 30" x 24".

Map D: proposed electoral districts 1988 (Vancouver Island); overlay to 1978 districts [by] Elections Branch. Ministry of Provincial Secretary; approx. 24" x 24".

Map E: proposed electoral districts 1988 (Victoria); overlay to 1978 districts [by] Elections Branch. Ministry of Provincial Secretary; approx. 30" x 24".

Map F: proposed electoral districts 1988 (South Eastern B.C.); overlay to 1978 districts [by] Elections Branch. Ministry of Provincial Secretary; approx. 40" x 36".

Preliminary Report of Proposed Boundaries for British Columbia Electoral Districts [by] British Columbia Royal Commission on Electoral Boundaries (The Honourable Judge Thomas K. Fisher, Commissioner; May 1988; 45p.

Statement of Votes; 34th provincial general election, October 22, 1986 [by] British Columbia Chief Electoral Officer. [Includes general and by-election and maps.] 362p.

Transcript of proceedings: In the matter of the *Inquiry Act*, RSBC 1979 ch.198 and in the matter of the Royal Commission on Electoral Boundaries; [public hearings in Victoria, B.C.; November 23, 24, 25, 1988; 3 volumes].

APPENDIX C

EXHIBITS

The following is a select list of exhibits which were brought to the attention of the Committee during its review:

Elections British Columbia. **Electoral History of British Columbia 1871 - 1986.** 1988. 558p.

Royal Commission on Electoral Boundaries

*Correspondence to Chairman,
Special Committee on Electoral Boundaries*

Special Committee on Electoral Boundaries

Correspondence to the Royal Commission on Electoral Boundaries

Reasons for judgement of the Honourable the Chief Justice (in Chambers) in the Supreme Court of British Columbia [in a matter] between a petitioner and the respondents. March 28, 1988; 3p.